



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Applicants : Mark C. Schmidt et al.  
Application Serial No.: 10/611,846  
Filing Date: : July 1, 2003  
Title: AUTOMATICALLY ACTIVATED LASER SCANNING 2D  
BAR CODE SYMBOL READING SYSTEM  
Examiner : Ahshik Kim  
Group Art Unit : 2876  
Attorney Docket No. : 108-194USAND0

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

**TERMINAL DISCLAIMER (37 CFR 1.321(b))**

SIR:

Your Petitioner, Metrologic Instruments, Inc., represents that it is the sole owner of the entire interest of the above-identified application.

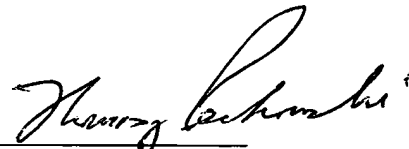
Your Petitioner hereby disclaims the terminal period of any patent issuing on the above-referenced application that would extend beyond the expiration of the full statutory term of U.S. Application No. 10/342,433, and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to such patent is the same as the legal title to U.S. Application No. 10/342,433, and that this agreement shall run with any patent so granted on the above-referenced application, and shall be binding upon the grantor, its successors, and assigns.

Your Petitioner does not disclaim any terminal part of any patent granted on the above-referenced application prior to the expiration date of the full statutory term of said U.S. Application No. 10/342,433 in the event that such patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F. R. Section 1.321(c); has all claims canceled by a reexamination certificate; or is otherwise terminated prior to the expiration of its full statutory term, except for a separation of legal title as stated above.

This Terminal Disclaimer is being signed under the provisions of 37 C.F.R. Section 1.321(b)(1)(iv). Enclosed in payment of the requisite fee of \$130.00 is Thomas J. Perkowski, Esq., P.C. Check No. 5509. The Commissioner is hereby authorized to charge any fee deficiencies to Deposit Account 16-1340.

Respectively submitted,

Dated: February 23, 2006

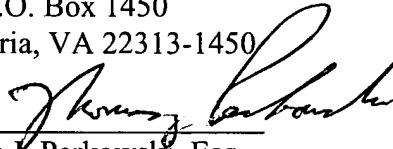


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Thomas J. Perkowski, Esq.  
Dated: February 23, 2006